

THE MARYLAND WILDLIFE ADVISORY COMMISSION
APRIL 10, 2002

MINUTES

Members: T. Lambert, C. Dollar, W. Freeland, J. Fritz, K. Jones, M. King, J. Lamp, C. Garner,

Guests: B. Burton

Staff: B. Beckett, B. Beyer, S. Bittner, T. Broll, C. Colona, B. Harvey, M. Hoffman, D. Hotton, P. Jayne, B. King, P. Peditto, S. Richardson, T. Spencer, G. Timko, L. Wiley

Absent: L. Adams, R. Gregory

Chairman Tim Lambert called the meeting to order at 9:30 am. Wildlife and Heritage Service Director Paul Peditto introduced Mr. Wilson Freeland, whose recent appointment to the Wildlife Advisory Commission was recommended by both the Maryland Farm Bureau and the Secretary of Agriculture. Commissioner Freeland owns a farm in southern Maryland and serves on the Farm, Bureau's Wildlife Committee. Director Peditto also introduced Ms. Kathy Jones, also newly appointed to this Commission. Commissioner Jones, a resident of Talbot County, is a former Councilwoman for the Town of Easton.

Game Program Associate Director Bob Beyer provided the Commissioners with two hand-outs: Revised Proposed Comments for 2002-2004 [Attachment A], which detailed support and opposition for key changes in regulations for the next two hunting license years, and a memorandum summarizing the changes in DNR's recommendations, based on public comment received [Attachment B]. Mr. Beyer reviewed the revised recommendations found in Attachment B, adding that the Wild Turkey Advisory Committee did vote in favor of adding one week to the end of the spring turkey season.

Mr. Beyer stated that HB-9 passed, and when signed by the Governor, would add a full six days to the proposed January firearm's season. Also, the Sunday after opening day of deer firearm's season will be open for deer hunting in designated counties, if the legislation becomes law.

Commissioner Lamp expressed concern about DNR's ability to manage wildlife when season lengths are determined by legislation. He proposed that the Commission send a letter to the Governor to suggest that he veto HB-9. Director Peditto explained that the game program would achieve its desired outcomes by adjusting bag limits. Chairman Lambert clarified that DNR had taken no position on this bill. Commissioner Freeland asked if there were any kind of harvest estimate for the additional January hunting days. Mr. Doug Hotton, Deer Project Manager, explained that DNR's original proposal was intended to increase antlerless deer harvest in Regions C and D, through additional hunting days. The intention was to provide landowners with the opportunity to increase the deer harvest.

Commissioner King asked about the potential harvest success in a late firearm's season and Mr. Hotton said that traditionally there is less participation in the later seasons. He added that it was the consensus at the stakeholders' meeting that January would be the best time to add these additional days.

Director Peditto explained that for Regions A and B there is enough flexibility in the legislative language to allow DNR to achieve its desired outcomes. He added that Maryland is fortunate to have tools, such as the mandatory deer check-in stations and the annual hunter's survey, which help staff assess the results of changes to the seasons and bag limits. He explained that, if needed, bag limits could be adjusted through regulation next year. Chairman Lambert suggested that DNR come back to the Commission if staff needs assistance on this issue in the future.

Commissioner Lamp stated that several members of the animal rights community attended the Annapolis public meeting on the season proposals and two issues have been raised. He questioned the need to hunt coyote in Maryland on a year-round basis. Mr. Robert Colona, Furbearer Project Manager, said that DNR is legislatively mandated to have the coyote season open year-round. DNR's proposal with regard to hunting coyote was made to clarify when coyotes can be hunted at night with the use of light and predator calls, in order to make these activities consistent with other species that are hunted after dark. Mr. Colona will be designing a survey methodology to determine the true extent of Maryland's coyote population. Currently DNR is tracking where coyotes are sighted.

Mr. Colona explained that coyote establish mutually-exclusive home ranges and consume almost anything, including nuts, corn, watermelons, and small deer, adding that there is a section on coyote in the Game Program Annual Report. Commissioner Lamp continued to question the need to use recorded and amplified calls. He made a motion to not accept Item 16 of Attachment B. There was no second.

Commissioner Lamp's second concern was the need to hunt dove in Maryland. Director Peditto reminded the Commissioners that federal law regulated the hunting of migratory game birds. Commissioner Chris Dollar emphasized that basing hunting recommendations on "need" will only alienate those who are protecting the environment. Commissioner King agreed, and deferred to Commissioner Jones to comment on the economic impact of hunting to the State of Maryland. Commissioner Jones explained that hunting activities have a tremendous impact on the state's total economy, explaining that every aspect of the eastern shore community was affected by the closure of the migratory Canada goose season.

Mr. Beyer stated that DNR is not going to set seasons and bag limits that would eradicate any species, with the possible exception of nutria. Commissioner Lamp felt a bag limit of 19 doves a person was excessive. He added that he is also concerned about the decline in the pheasant and quail populations. Commissioner lamp made a motion to close the pheasant and quail seasons in Maryland. There was no second.

Commissioner Freeland made a motion to accept the Department's recommendations of seasons and bag limits for 2002-2004 hunting license years. All Commissioners voted in favor, with the exception of Commissioner Lamp who was opposed.

Commissioner King stated that as a Commissioner he needed to support the economy of the State of Maryland and not let his personal opinions interfere.

Chairman Lambert called on Mr. Colona to discuss possible new legislation for 2003. Mr. Colona explained that the Fur Resource Advisory Committee (FRAC) meets periodically and makes recommendations for the management of fur resources. Since a hunting license is the only requirement for harvesting furbearers, and Maryland's fox chasers are not required to purchase a hunting license, it is not possible to know the number of people who are harvesting the fur resource. FRAC worked together diligently and for a long time to develop a packet that would provide for a fur-users license. The license requirement would include mandatory education requirements as well. The cost for the fur-users license would not exceed that of a regular hunting license. Landowners, who account for a significant percentage of the fur harvest in Maryland, would be required to obtain this license, although there would be no fee charged to the landowner.

Last year amendments were added to this legislative proposal that were not palatable to the members of the Committee. Mr. Colona is not certain the coalition of diverse groups, which includes trappers, fox chasers, predator callers, and others, will be willing to sit down at the table and re-visit these issues. Trappers and other fur users who also hunt other species would be required to have both a hunting license and a fur-users license. Commissioner Jones asked how the new license would help keep track of the fur resource. Mr. Colona said it would provide DNR with a list of names and addresses, allowing for a random sampling. "A survey can generate a lot of information," he said. Mr. Colona is hopeful that FRAC will move forward.

Director Peditto said that this Commission would need a fairly substantial up-date in June to allow time for review and discussion, as DNR will need the Commission's recommendations no later than the August meeting in order to advance any legislation in 2003. Mr. Colona said he would meet with members of FRAC this month. He expressed concern that some of the groups that formed this coalition have serious reservations about returning to the table. All Commissioners were in favor of inviting Mr. Colona and FRAC members to the June Commission meeting.

Chairman Lambert called on Mr. Hotton, , DNR's Deer Project Leader, who discussed a movement in deer hunting, whereby high fences are erected and hunting is taking place inside the fence. Mr. Hotton is requesting that the Captive Wildlife Committee look at this issue and recommend legislation to the Commission.

Commissioner Lamp re-introduced the topic of baiting deer on private lands, which he had discussed at previous meetings. He stated that the Fund for Animals and the Humane Society of the United States (HSUS) strongly endorse a ban on deer baiting in Maryland. He cited studies in Michigan and Wisconsin that showed when deer congregate in an area over bait, they become diseased. Commissioner Lamp believes baiting deer is a disease issue.

Chairman Lambert asked for comments. Director Peditto deferred to Mr. Hotton, who explained that feeding deer changes the movement of the herd. He felt feeding deer was a larger issue than baiting deer. He stated that of the 16 southeastern states, 10 allow baiting for deer and six do not. Nationally, the states are evenly divided on this issue: 25 allow baiting; 25 do not. Mr. Hotton said that the Fund for Animals and the HSUS are silent on the feeding issue.

Mr. Hotton also explained that what is considered baiting deer in Maryland and what takes place in Michigan are two different types of activities. He added that Michigan has put some limitations on baiting, but has not entirely banned the practice. He said the way baiting is done in Maryland does not cause a disease problem. He also questioned its effectiveness, as most deer that come to bait piles are juvenile males or females with young. He said DNR views baiting deer as a personal choice issue, as the practice does not directly affect the deer population.

Chairman Lambert said baiting is a choice that hunters make. He asked if DNR would be willing to review the research and develop a report. Commissioner Freeland said feeding deer is just as much of an issue as baiting. Commissioner King clarified that in Michigan bait is brought in on dump trucks compared to Maryland where hunters are using buckets. "It is not the same activity," he stated. "If there is a decision to be made, base it on science, not passion."

Commissioner Lamp explained that he did not want to see the ethical perspective lost. Commissioner Dollar also felt feeding deer was the larger issue. Commissioner King said that if the Commission were to look at baiting issues, feeding would have to be reviewed as well. Mr. Hotton said the Non-Lethal task Force on Wildlife did not address this issue in their recent report.

Chairman Lambert asked that DNR staff address these issues and return to the Commission in October. Any vote on baiting deer will be tabled until then. Commissioner Dollar clearly stated that he does not want to involve this Commission in issues of personal choice. Commissioner Jones suggesting members concentrate on areas of agreement.

Chairman Lambert asked Director Peditto to discuss the Commission's working agenda for 2002. Director Peditto explained that he has added programmatic reports to the agenda so that key issues on public lands, rare, threatened and endangered species, outreach and education could also be identified. "Our goal is to become much more aware of what the public thinks about natural resource management, as well as wildlife management," he said. Commissioner King made a motion, seconded by Commissioner Freeland, to approve the final working agenda [Attachment C]. All were in favor.

Chairman Lambert called on Natural Resource Police (NRP) officer, Sgt. Scott Richardson for the NRP update [Attachment D]. Sgt. Richardson said that with most hunting seasons closed, NRP was gearing up for the fishing and boating seasons. There were no reports from the Maryland Sportsman's Association or the Maryland Farm Bureau.

Chairman Lambert called on Mr. Mark Hoffman, Associate Director of Administration, to provide the legislative update. Mr. Hoffman handed out an information sheet on "Current Status of Legislation", as of April 10, 2002 [Attachment E].

He briefly reviewed House and Senate bills that were passed.

HB 9: Passed and enrolled. This bill deals with the length of the firearm season and opening one Sunday for deer hunting in designated counties.

HB 69: Passed. Provides Virginia riparian shoreline owners with opportunity to license their shoreline.

HB 1107: Passed. Provides permit regulations for breeding land turtles.

HJ 12: Passed and enrolled. This joint resolution requests the US Fish and Wildlife Service (USFWS) to expedite its process to address mute swan management issues.

SB 18: Passed and enrolled. This is the Senate version of HB 69, which provides Virginia riparian shoreline owners with opportunity to license their shoreline.

SB 599: Passed and enrolled. This bill would change the existing hunting license system, increase fees for resident and non-resident licenses and certain stamps, and change the Maryland Migratory Waterfowl Stamp to a Maryland Migratory Bird Stamp that would be required by all who hunt migratory game birds. Bonus deer stamps would become Antlered Bonus Deer Stamps, and no longer required for harvesting additional antlerless deer.

Also included in this bill is an increase of about 50% in fees paid to licensing agents and the designation of \$1.00 from every hunting license sale to be donated to the Farmers and Hunters Feeding the Hungry program. Mr. Hoffman reported that the Senate also included language requiring the increased license revenue to be used to open 50% of Chesapeake Forest Lands to public hunting by the end of 2005.

Mr. Hoffman explained that under the jurisdiction of the Federal Aid in Wildlife Restoration Act, all license revenue can only be used for the Wildlife Management and Protection Fund and for providing recreational opportunities, thereby restricting how the new revenue can be spent.

Mr. Hoffman said DNR plans a strong outreach and education campaign so that hunters will understand these changes. He mentioned that there have been no major license fee changes since 1989.

SJ 15: Passed and enrolled. This joint resolution is the senate version of HJ 12.

Mr. Hoffman briefly discussed the possible cuts to DNR's FY 2003 budget [Attachment F]. He explained this document represented a starting point for legislative review of the budget. In Maryland, legislators may cut items from the budget, but may not add items to it.

He explained that cuts to DNR's operation budget, which exceed \$8 million, and the \$6.4 million cut to the agency's general funds, will be distributed among the units, except for those cuts that were targeted to specific programs.

Ms. Linda Wiley announced the winning artists for the Maryland Migratory Waterfowl Stamp Design Contest and the Maryland Black Bear Conservation Program Design Contest. James Kinnett's winning entry featured black scoters. Wildlife and Heritage Service employee Wade Henry won the black bear design contest.

Before adjourning, Mr. Hotton introduced Mr. George Timko, who has been tapped to fill the role of Urban/Suburban Deer Biologist. He also passed out a deer project report: Maryland Total Deer Harvest 1989 – 2001 [Attachment G].

Commissioners were reminded to submit their votes for Wildlife Conservationist, Farmer, and Employee of the Year awards.

There being no further business, the meeting was adjourned at 12:00 pm.

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Distribution of Minutes

and Attachments: L. Adams, R. Gregory, C. Fox, K. White, C. Watson, Wildlife and Heritage Service Executive and Regional Managers, Chairmen of Waterfowl, Fur Resource and Wild Turkey Advisory Committees.